

UNITED STATES COURT OF APPEALS

FOR THE

NINTH CIRCUIT

- **Federal Rules of Appellate Procedure**
- Ninth Circuit Rules
- *Circuit Advisory Committee Notes*

January 1, 2005

PREAMBLE

These local rules of the United States Court of Appeals for the Ninth Circuit are promulgated under the authority of Rules 2 and 47 of the Federal Rules of Appellate Procedure.

**JUDGES OF THE
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

Mary M. Schroeder
Chief Judge, Phoenix, Arizona

James R. Browning
Senior Circuit Judge, San Francisco, California

Alfred T. Goodwin
Senior Circuit Judge, Pasadena, California

J. Clifford Wallace
Senior Circuit Judge, San Diego, California

Joseph T. Sneed
Senior Circuit Judge, San Francisco, California

Procter Hug, Jr.
Senior Circuit Judge, Reno, Nevada

Otto R. Skopil, Jr.
Senior Circuit Judge, Portland, Oregon

Betty B. Fletcher
Senior Circuit Judge, Seattle, Washington

Jerome Farris
Senior Circuit Judge, Seattle, Washington

Harry Pregerson
Circuit Judge, Woodland Hills, California

Arthur L. Alarcon
Senior Circuit Judge, Los Angeles, California

Warren J. Ferguson
Senior Circuit Judge, Santa Ana, California

Dorothy W. Nelson
Senior Circuit Judge, Pasadena, California

William C. Canby, Jr.
Senior Circuit Judge, Phoenix, Arizona

Robert Boochever
Senior Circuit Judge, Pasadena, California

Stephen Reinhardt
Circuit Judge, Los Angeles, California

Robert R. Beezer
Senior Circuit Judge, Seattle, Washington

Cynthia Holcomb Hall
Senior Circuit Judge, Pasadena, California

Melvin Brunetti
Senior Circuit Judge, Reno, Nevada

Alex Kozinski
Circuit Judge, Pasadena, California

John T. Noonan, Jr.
Senior Circuit Judge, San Francisco, California

David R. Thompson
Senior Circuit Judge, San Diego, California

Diarmuid F. O'Scannlain
Circuit Judge, Portland, Oregon

Edward Leavy
Senior Circuit Judge, Portland, Oregon

Stephen S. Trott
Senior Circuit Judge, Boise, Idaho

Ferdinand F. Fernandez
Senior Circuit Judge, Pasadena, California

Pamela Ann Rymer
Circuit Judge, Pasadena, California

Thomas G. Nelson
Senior Circuit Judge, Boise, Idaho

Andrew J. Kleinfeld
Circuit Judge, Fairbanks, Alaska

Michael Daly Hawkins
Circuit Judge, Phoenix, Arizona

A. Wallace Tashima
Senior Circuit Judge, Pasadena, California

Sidney R. Thomas
Circuit Judge, Billings, Montana

Barry G. Silverman
Circuit Judge, Phoenix, Arizona

Susan P. Graber
Circuit Judge, Portland, Oregon

M. Margaret McKeown
Circuit Judge, San Diego, California

Kim McLane Wardlaw
Circuit Judge, Pasadena, California

William A. Fletcher
Circuit Judge, San Francisco, California

Raymond C. Fisher
Circuit Judge, Pasadena, California

Ronald M. Gould
Circuit Judge, Seattle, Washington

Richard A. Paez
Circuit Judge, Pasadena, California

Marsha S. Berzon
Circuit Judge, San Francisco, California

Richard C. Tallman
Circuit Judge, Seattle, Washington

Johnnie B. Rawlinson
Circuit Judge, Las Vegas, Nevada

Richard R. Clifton
Circuit Judge, Honolulu, Hawaii

Jay S. Bybee
Circuit Judge, Las Vegas, Nevada

Consuelo M. Callahan
Circuit Judge, Sacramento, California

Carlos T. Bea
Circuit Judge, San Francisco, California

FOREWORD

The Advisory Committee on Rules of Practice and Internal Operating Procedures of the United States Court of Appeals for the Ninth Circuit was appointed by the court in 1984, pursuant to 28 U. S. C. § 2077. The committee first undertook a major restructuring of the Ninth Circuit rules with the objective of updating the rules to reflect current practice, putting the rules into a simpler format and style, and renumbering the rules to conform to the numbering sequence of the Federal Rules of Appellate Procedures. The purpose of this project was to produce a more readable, easily understandable set of rules in handbook form. The handbook contains the Federal Rules of Appellate Procedure, the Ninth Circuit Rules, and, following certain rules, Circuit Advisory Committee Notes. The committee's role in assisting the Court is more fully defined by Circuit Rule 47-2.

Circuit Judges Procter Hug, Jr., Richard A. Paez, and Johnnie B. Rawlinson currently serve on the committee. Lawyers serving on the committee include Scott Bales, Candy Dale, Quin Denvir, Paul Fogel, Wendy Holton, Professor Margaret Z. Johns, Manual M. Medeiros, William Mercer, Daniel Polsenberg, Gregory Smith, Sandy Svetcov (Ex-Officio), Lilia Salazar de Velasquez, Mark Walters, and James Westwood. The committee is chaired by Quin Denvir.

The Court encourages members of the bar to make suggestions for improvements to the rules of Court. Such suggestions should be directed to the Clerk of Court.

Mary M. Schroeder
Chief Judge

January 1, 2005